UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,594	06/07/2001	Timothy C. Dearborn	016295.0663	1389

			EXAMINER
7590	06/16/2004		PHAM, TOAN NGOC

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ART UNIT	PAPER NUMBER
2632	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/876,594	DEARBORN ET AL.
		Examiner	Art Unit
		Toan N Pham	2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-96* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-96* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *4-6*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act .

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 15, 21, 24, 75, 76, 89 and 95 are rejected under 35 U.S.C. 102(e)

as being anticipated by Beaman et al. (US 6,259,598).

Regarding claim 1: Beaman et al. discloses a computer system comprising a

housing (100); a bezel (110); and a primary status indicator (112) on an outer surface of

the bezel (Figs. 1, 2; col. 2, lines 30-35).

Regarding claim 2: Beaman et al. discloses the computer comprising a front

panel wherein the bezel is mounted to cover the front panel (Figs. 1-3).

Regarding claim 15: Beaman et al. discloses the status display (112) (Figs. 1, 2;

col. 2, lines 30-35).

Regarding claim 21: Beaman et al. discloses the front panel and the status

display is located on the front panel (Figs. 1-3).

Regarding claim 24: See claim 1 above.

Regarding claim 75: See claim 1 above.

Regarding claim 76: See claim 2 above.

Regarding claim 89: See claim 15 above.

Regarding claim 95: See claim 2 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 13, 14, 16, 17, 22, 23, 25, 77, 78, 88, 90, 91 and 96 are rejected under

35 U.S.C. 103(a) as being unpatentable over Beaman et al. (US 6,259,598).

Regarding claim 3: Beaman et al. discloses that the network computer including

a status indicator (112) (Figs. 1, 2; col. 2, lines 30-35); thus, it is obvious that the

network computer is one or more computer system are connected together for

communication purposes and the status indicator is obviously an indicator for providing

the status of the operational state of the computer; therefore, normal and failure

indication is obvious an operational status of the computer.

Regarding claim 13: Beaman et al. does not disclose the cycloptically positioned status indicator; however, it is merely a matter of design choice to position the status indicator for the purpose of displaying the indicator at different pleasing positions.

Regarding claim 14: Beaman et al. does not disclose the status indicator is operable to rotate to remain level; however, it is merely a matter of design choice to position the indicator for the purpose of displaying the indicator at different pleasing positions.

Regarding claim 16: Beaman et al. discloses that the network computer including a status indicator (112) (Figs. 1, 2; col. 2, lines 30-35); thus, it is obvious that the network computer is one or more computer system are connected together for communication purposes and the status indicator is obviously an indicator for providing the status of the operational state of the computer; therefore, normal and failure indication is obvious an operational status of the computer.

Regarding claim 17: Beaman et al. discloses the status display (112) which displays status information from the network computer (Figs. 1-3).

Regarding claim 22: Beaman et al. does not disclose the display is activated when the bezel is open; however, whether the status display (112) display when the bezel is closed or opened to indicate the computer status is merely a matter of design choice.

Regarding claim 23: Beaman et al. discloses the computer comprising a front panel wherein the bezel is mounted to cover the front panel (Figs. 1-3). Beaman et al. does not disclose the display located on the back panel; thus, to disclose and position

the indicator display at different location is merely a matter of design choice for providing the same purpose.

Regarding claim 25: Beaman et al. discloses that the network computer including a status indicator (112) (Figs. 1, 2; col. 2, lines 30-35); thus, it is obvious that the network computer is one or more computer system are connected together for communication purposes and the status indicator is obviously an indicator for providing the status of the operational state of the computer; therefore, normal and failure indication is obvious an operational status of the computer.

Regarding claim 77: Beaman et al. does not disclose the cycloptically positioned status indicator; however, it is merely a matter of design choice to position the status indicator for the purpose of displaying the indicator at different pleasing positions.

Regarding claim 78: Beaman et al. discloses that the network computer including a status indicator (112) (Figs. 1, 2; col. 2, lines 30-35); thus, it is obvious that the network computer is one or more computer system are connected together for communication purposes and the status indicator is obviously an indicator for providing the status of the operational state of the computer; therefore, normal and failure indication is obvious an operational status of the computer.

Regarding claim 88: Beaman et al. does not disclose the status indicator is operable to rotate to remain level; however, it is merely a matter of design choice to position the indicator for the purpose of displaying the indicator at different pleasing positions.

Regarding claim 90: Beaman et al. discloses that the network computer including a status indicator (112) (Figs. 1, 2; col. 2, lines 30-35); thus, it is obvious that the network computer is one or more computer system are connected together for communication purposes and the status indicator is obviously an indicator for providing the status of the operational state of the computer; therefore, normal and failure indication is obvious an operational status of the computer.

Regarding claim 91: Beaman et al. discloses the status display (112) which displays status information from the network computer (Figs. 1-3).

Regarding claim 96: Beaman et al. discloses the computer comprising a front panel wherein the bezel is mounted to cover the front panel (Figs. 1-3). Beaman et al. does not disclose the display located on the back panel; thus, to disclose and position the indicator display at different location is merely a matter of design choice for providing the same purpose.

Claims 4-12, 26-74, 79-87 and 92-94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beaman et al. (US 6,259,598) in view of Daniels (US 5,305,013).

Regarding claims 4, 18, 26, 37, 49, 59, 79 and 92: Beaman et al. does not disclose the illumination of the first and second status with respect to the fail and no-fail status. Daniels discloses a computer status indicator including bicolor LED (41-48) for indicating the fail and no-fail status of the computer system (col. 2, lines 26-63). At the time of the invention, it would have been obvious to one of ordinary skill in the art to

utilize different state of the status as taught by Daniels in a system as disclosed by Beaman et al. for providing an alert indicator of different status to provide different status that is easily recognizable by the operator.

Regarding claims 5, 19, 27, 41, 50, 60, 80 and 93: Beaman et al. does not disclose the indicator of different color. Daniels discloses a computer status indicator including bicolor LED (41-48) for indicating the fail and no-fail status of the computer system of different color(col. 2, lines 26-63). At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize different color for different state of the status as taught by Daniels in a system as disclosed by Beaman et al. for providing an alert indicator that is easily recognizable by the operator.

Regarding claims 6, 7, 20, 28, 29, 42, 43, 51, 52, 81, 82 and 94: Daniels discloses a computer status indicator including bicolor LED (41-48) for indicating the fail and no-fail status of the computer system of different color for different state (col. 2, lines 26-63); thus, whether the first and second indicator is illuminated in an off state is merely a matter of design choice for providing an alert indicator that is easily recognizable by the operator.

Regarding claims 8, 30, 44, 55-57 and 83: Daniels discloses the normal status section and an alert status section (Fig. 3; col. 2, lines 39-63).

Regarding claims 9, 31, 45 and 84: Daniels discloses Daniels discloses the normal status section and an alert status section as a cluster (Fig. 3; col. 2, lines 39-63).

Regarding claims 10, 32, 46 and 85: Beaman et al. does not disclose the illumination of the first and second status with respect to the fail and no-fail status.

Daniels discloses a computer status indicator including bicolor LED (41-48) for

indicating the fail and no-fail status of the computer system (col. 2, lines 26-63). At the

time of the invention, it would have been obvious to one of ordinary skill in the art to

utilize different state of the status as taught by Daniels in a system as disclosed by

Beaman et al. for providing an alert indicator of different status to provide different

status that is easily recognizable by the operator.

Regarding claims 11, 33, 47, and 86: Beaman et al. does not disclose the

indicator of different color. Daniels discloses a computer status indicator including

bicolor LED (41-48) for indicating the fail and no-fail status of the computer system of

different color(col. 2, lines 26-63). At the time of the invention, it would have been

obvious to one of ordinary skill in the art to utilize different color for different state of the

status as taught by Daniels in a system as disclosed by Beaman et al. for providing an

alert indicator that is easily recognizable by the operator.

Regarding claims 12, 34, 48 and 87: Neither Beaman et al. nor Daniels

discloses the displaying of a corporate logo; however, it is merely a matter of design

choice to display different color, image, icon or logo to represent the status indicator.

Regarding claim 35: Beaman et al. does not disclose the cycloptically positioned

status indicator; however, it is merely a matter of design choice to position the status

indicator for the purpose of displaying the indicator at different pleasing positions.

Regarding claim 36: Beaman et al. discloses that the network computer

including a status indicator (112) (Figs. 1, 2; col. 2, lines 30-35); thus, it is obvious that

the network computer is one or more computer system are connected together for

communication purposes and the status indicator is obviously an indicator for providing the status of the operational state of the computer; therefore, normal and failure indication is obvious an operational status of the computer.

Regarding claims 38 and 53: Beaman et al. discloses a computer system comprising a housing (100); a bezel (110); and a primary status indicator (112) on an outer surface of the bezel (Figs. 1, 2; col. 2, lines 30-35).

Regarding claims 39, 54 and 58: Beaman et al. does not disclose the cycloptically positioned status indicator; however, it is merely a matter of design choice to position the status indicator for the purpose of displaying the indicator at different pleasing positions.

Regarding claim 40: Beaman et al. does not disclose the position of the status indicator; however, it is merely a matter of design choice to position the status indicator for the purpose of displaying the indicator at different pleasing positions.

Regarding claim 61: Beaman et al. discloses the status display (112) (Figs. 1, 2; col. 2, lines 30-35).

Regarding claim 62: Beaman et al. does not disclose the illumination of the first and second status with respect to the fail and no-fail status. Daniels discloses a computer status indicator including bicolor LED (41-48) for indicating the fail and no-fail status of the computer system (col. 2, lines 26-63). At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize different state of the status as taught by Daniels in a system as disclosed by Beaman et al. for providing an alert

indicator of different status to provide different status that is easily recognizable by the operator.

Regarding claim 63: Beaman et al. does not disclose the indicator of different color. Daniels discloses a computer status indicator including bicolor LED (41-48) for indicating the fail and no-fail status of the computer system of different color(col. 2, lines 26-63). At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize different color for different state of the status as taught by Daniels in a system as disclosed by Beaman et al. for providing an alert indicator that is easily recognizable by the operator.

Regarding claim 64: Daniels discloses a computer status indicator including bicolor LED (41-48) for indicating the fail and no-fail status of the computer system of different color for different state (col. 2, lines 26-63); thus, whether the first and second indicator is illuminated in an off state is merely a matter of design choice for providing an alert indicator that is easily recognizable by the operator.

Regarding claim 65: Beaman et al. discloses that the network computer including a status indicator (112) (Figs. 1, 2; col. 2, lines 30-35); thus, it is obvious that the network computer is one or more computer system are connected together for communication purposes and the status indicator is obviously an indicator for providing the status of the operational state of the computer; therefore, normal and failure indication is obvious an operational status of the computer. Beaman et al. does not disclose the illumination of the first and second status with respect to the fail and no-fail status. Daniels discloses a computer status indicator including bicolor LED (41-48) for

indicating the fail and no-fail status of the computer system (col. 2, lines 26-63). At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize different state of the status as taught by Daniels in a system as disclosed by Beaman et al. for providing an alert indicator of different status to provide different status that is easily recognizable by the operator.

Regarding claim 66: Beaman et al. does not disclose the indicator of different color. Daniels discloses a computer status indicator including bicolor LED (41-48) for indicating the fail and no-fail status of the computer system of different color(col. 2, lines 26-63). At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize different color for different state of the status as taught by Daniels in a system as disclosed by Beaman et al. for providing an alert indicator that is easily recognizable by the operator.

Regarding claims 67 and 68: Daniels discloses a computer status indicator including bicolor LED (41-48) for indicating the fail and no-fail status of the computer system of different color for different state (col. 2, lines 26-63); thus, whether the first and second indicator is illuminated in an off state is merely a matter of design choice for providing an alert indicator that is easily recognizable by the operator.

Regarding claims 69 and 70: Neither Beaman et al. nor Daniels disclose the mounting location of the computer; however, it is merely a matter of design choice to mount the computer system at different location.

Regarding claims 71-73: Daniels discloses the normal status section and an alert status section (Fig. 3; col. 2, lines 39-63).

Regarding claim 74: Neither Beaman et al. nor Daniels discloses the displaying of a corporate logo; however, it is merely a matter of design choice to display different color, image, icon or logo to represent the status indicator.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art of Sa et al. (US 6,717,802), Chen (US 5,644,707), Phan (US 6,597,566), and Young et al. (US 6,018,456) are cited to show a variety of computer status indicators.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan N Pham whose telephone number is (703)306-3038. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (703) 308-6730. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 8, 2004

TOAN N. PHAM
PRIMARY EXAMINER